

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

EDDIE HAROLD BILLINGS, Jr.,)	
)	
Plaintiff,)	
)	
vs.)	1:13-cv-00272-TWP-TAB
)	
DISTRICT OF COLUMBIA)	
PROSECUTOR'S OFFICE ,)	
MUNCIE INDIANA PROSECUTOR'S)	
OFFICE,)	
)	
Defendant.)	

Entry Directing Further Proceedings

I.

This matter is before the Court on Plaintiff Eddie Harold Billings, Jr.'s., motion to proceed *in forma pauperis*. The request to proceed *in forma pauperis* [Dkt. 2] is **granted**. The **clerk shall include** a copy of the complaint with the plaintiff's copy of this Entry.

II.

The Court notes that the complaint (Dkt. 1), as tendered, is not plausible on its face. "[A] complaint must always . . . allege enough facts to state a claim to relief that is plausible on its face." *Limestone Development Corp. v. Village of Lemont, Ill.*, 520 F.3d 797, 803 (7th Cir. 2008) (quoting *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007)). AA claim has facial plausibility when the plaintiff pleads factual

content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1949 (2009).

Further, the complaint fails to allege all of the facts necessary to determine whether this Court has subject matter jurisdiction over this case. A district court possesses only the jurisdiction conferred to it by Congress. *See South Carolina v. Katzenbach*, 383 U.S. 301 (1966).

Congress has conferred subject matter jurisdiction on the district courts only in cases that raise a federal question and cases in which there is diversity of citizenship among the parties. See 28 U.S.C. ‘ ‘ 1331-32.

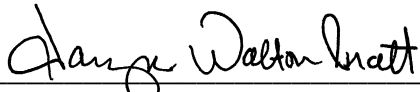
Smart v. Local 702 Intern. Broth. of Elec. Workers, 562 F.3d 798, 802 (7th Cir. 2009).

III.

The plaintiff shall have **through March 12, 2013**, in which to supplement his complaint by (1) setting forth the basis of this Court-s jurisdiction over his claim(s), and (2) setting forth his claim(s) with facial plausibility as defined above.

IT IS SO ORDERED.

Date: 02/20/2013


Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

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Note to Clerk: Processing this document requires actions in addition to docketing and distribution.